

AFFIDAVIT IN SUPPORT OF A SEARCH WARRANT; HASSAN ALQAHTANI

I, Jonathan Labuhn, being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND BACKGROUND OF THE AFFIANT

1. I am a Special Agent of the Federal Bureau of Investigation (FBI), United States Department of Justice. I have been so employed since March 2019. I am therefore authorized to investigate federal criminal offenses. I am currently a member of the Albuquerque Division of the FBI. I have received on the job training from other experienced agents and detectives in the investigations of violent crimes. My investigative training and experience includes, but is not limited to, conducting surveillance, interviewing subjects, victims, and witnesses, writing affidavits for and executing search and arrest warrants, managing cooperating sources, issuing subpoenas, collecting evidence, and analyzing public records.

2. The statements contained in this affidavit are based upon my investigation, training and experience and information provided by other law enforcement officers or from other reliable sources.

3. I make this Affidavit in support of a search warrant for the property being used by HASSAN ALQAHTANI in furtherance of violation of 18 USC § 922(g)(5)(B). The **Target Residence** is described as follows:

- a. A two bedroom, one bathroom, single-story home in the North Campus neighborhood in Albuquerque, New Mexico. The address of the **Target Residence** is 1305 Columbia Drive North East Albuquerque, New Mexico.
- b. ALQAHTANI shares the home with Sierra Kole Shafer. FBI has conducted surveillance on the **Target Residence**. On October 31, 2019 Special Agents observed a white Cadillac, bearing New Mexico state tag 4236WL parked in the

drive way of the **Target Residence** facing the garage. The vehicle was registered to HASSAN ALQAHTANI. On November 5, 2019, an individual exited the front and appeared to lock the door who bore a resemblance to the driver's license photo of HASSAN ALQAHTANI, DOB 04/03/1992, the registered owner of the white Cadillac.

- c. On 11/18/2019 the property management company responsible for 1305 Columbia Drive North East Albuquerque, New Mexico, Coldwell Banker Real Estate provided the affiant with a copy of the lease for the **Target Residence** which confirmed that HASSAN ALQAHTANI lives at the residence with Sierra Kole Shafer. Employees of Coldwell Banker Real Estate verbally confirmed that both HASSAN ALQAHTANI and Sierra Kole Shafer reside at 1305 Columbia Drive North East Albuquerque, New Mexico.
4. Pursuant to the facts outlined below, there is probable cause to believe that the **Target Residence** is being used by ALQAHTANI, and a firearm is stored at the **Target Residence**. Pictures of the residence are included in Attachment A. In the pictures, the street number can be seen on the front of the house.
5. The information in this Affidavit is based on my personal involvement in the investigation; law enforcement reports, records, and interviews; information received from other law enforcement agents; my experience and training; and the experience of other law enforcement agents. Because of this Affidavit's limited purpose, it does not contain all of the facts known to me or the other law enforcement officers about the investigation. Specifically, I have set forth only those facts that I believe are necessary to establish probable cause in support of this search warrant.

FACTS AND CIRCUMSTANCES ESTABLISHING PROBABLE CAUSE

6. On August 8, 2019, a tip was submitted by **R.V.** to the FBI National Threat Operations Center (NTOC) via tips.fbi.gov, to report Saudi Arabian citizen HASSAN ALQAHTANI, address 1305 Columbia Dr NE, Albuquerque, NM 87106, was creating a "list of people who he wants to kill before he leaves the US" consisting of **R.V.**, and professors from University of New Mexico in Albuquerque, NM. The tip also stated ALQAHTANI had possession of a firearm belonging to his American girlfriend. The affiant conducted an interview with **R.V.** on September 6, 2019, where **R.V.** described ALQAHTANI's firearm as a colored hand gun and that ALQAHTANI was aware that he should not have the firearm. The **R.V.** clarified that ALQAHTANI owned the firearm but had stated that if ALQAHTANI were to get in any trouble with the firearm his girlfriend would take possession of it and hide it for him.

7. On October 3, 2019 **R.V.** was interviewed again where he confirmed that ALQAHTANI had shown him a colored hand gun. ALQAHTANI claimed that his cousin, another Saudi Arabian citizen, had purchased the firearm while in the United States and gave it to ALQAHTANI when the cousin had returned to Saudi Arabia. **R.V.** recounted that ALQAHTANI stated he should not have the firearm. ALQAHTANI claimed he would state the firearm was his girlfriend's if he was ever in trouble with the authorities.

8. ALQAHTANI was invited shooting with **R.V.** and others on numerous occasions. Before going to the outings ALQAHTANI would ask **R.V.**, on occasions when ALQAHTANI brought the firearm with him, if **R.V.** would "hold his gun" during transport from ALQAHTANI's residence to the site. **R.V.** believed this was because ALQAHTANI knew it was not legal for him to be in possession of the firearm. **R.V.** never saw ALQAHTANI bring his firearm to any of these outings.

9. The affiant conducted an interview with A.M. who claimed that in the July 2019, A.M. met ALQAHTANI at the **Target residence**. During this meeting, ALQAHTANI went into a room further in his residence and retrieved a firearm to show to A.M. A.M. claimed it had a coating that made the firearm appear colored. When A.M. unloaded the firearm, A.M. saw 9 mm rounds in the magazine. ALQAHTANI was surprised when A.M. unloaded his firearm and asked A.M. to teach him how to unload the firearm. At this same meeting, ALQAHTANI claimed to A.M. that he knew he was not allowed to own the firearm and that if he was in trouble with the firearm would claim that the firearm belonged to his girlfriend.

10. On 11/14/2019, an Albuquerque confidential human source (CHS), reported that ALQAHTANI approached them interested in purchasing a firearm. The CHS, reported that ALQAHTANI was interested in purchasing the CHS's firearm but was also interested in purchasing an AK-47. ALQAHTANI showed the CHS videos of Saudi Arabian wedding with individuals shooting AK-47s. ALQAHTANI told the CHS that he did not like his old gun and wanted to purchase another firearm before his family arrived.

INTERSTATE COMMERCE

11. Based on what was described to your affiant, the handgun appears to meets the federal definition of a "firearm." I am not aware of any firearms that are manufactured in the state of New Mexico.

CITIZENSHIP AND VISA STATUS

12. According to information provided by Immigration and Custom Enforcement, HASSAN HUSSAIN ALQAHTANI was born on 04/03/1992 in Saudi Arabia and is a Saudi Arabian citizen admitted to the United States on a non-immigrant F1 student visa. ALQAHTANI is attending the University of New Mexico's School of Engineering.

CONCLUSION

13. Based on the aforementioned facts, this affiant respectfully submits, that HASSAN ALQAHTANI has in his possession a firearm and as a nonimmigrant F1 student visa holder, is in violation of 18 U.S.C. § 922(g)(5)(B).

14. As described above, this application seeks permission to search for firearms and firearm related materials that might be found in the **Target Residence**. There is probable cause to believe that a firearm is stored in the **Target Residence** as described in Attachment A.

This affidavit has been reviewed and approved by Supervisory Assistant United States Attorney Jack Burkhead.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Jonathan Labuhn

Special Agent

Federal Bureau of Investigation

Subscribed and sworn to before me on December ____, 2019:

United States Magistrate Judge

Albuquerque, New Mexico